

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
REGULAR MEETING MINUTES
TUESDAY, FEBRUARY 5, 2013, 6:30PM**

A REGULAR SESSION OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, FEBRUARY 5, 2013, AT TOWN HALL AT 2735 S. HIGHWAY 69, DEWEY-HUMBOLDT, ARIZONA. MAYOR TERRY NOLAN PRESIDED.

1. **Call To Order.** The meeting was called to order at 6:33 p.m. Mayor Nolan presided.
2. **Opening Ceremonies.**
 - 2.1. **Pledge of Allegiance.** Led by Dee Parker.
 - 2.2. **Invocation.** Given by Councilmember Nancy Wright.
3. **Roll Call.** Town Council Members Arlene Alen, David Hiles, Mark McBrady, Denise Rogers, Nancy Wright; Vice Mayor Dennis Repan; and Mayor Terry Nolan were present.
4. **Announcements Regarding Current Events, Guests, Appointments, and Proclamations.** Announcements of items brought to the attention of the Mayor not requiring legal action by the Council. Guest Presentations, Appointments, and Proclamations may require Council discussion and action.

Mayor Nolan announced two special fundraiser bowling events asking Council to participate: Big Brother, Big Sister and Horses with Heart.

- 4.1. **Plaque presentation by CYMPO.** CYMPO representative to present plaque to CM McBrady for his participation with the organization.

Director, Chris Bridges with CYMPO presented Councilmember McBrady with a certificate of appreciation for his time spent and contributions with the organization as the Town's representative.

- 4.2. **Yavapai County Sheriff's Office Quarterly Report.** Presentation by Lt. Newnum on statistics report and follow-up on dog barking report.

Lt. Newnum gave the quarterly report PowerPoint presentation and answered questions.

Sgt. Dean spoke on the procedure for documenting Excessive Barking. Councilmember Wright asked about the procedure and talked about creating a procedure specific for Dewey-Humboldt. Judge Kelley spoke on how a complaint can come through the prosecutor to determine whether there is adequate evidence.

Public comment was taken on this item.

Jack Hamilton spoke on having a town procedure to give to people complaining about dogs explaining the options available.

Jerry Brady spoke on the reasons for the current procedure in order to be successful with prosecution.

Bob Greene spoke on whether this was agendized.

5. **Town Manager's Report.** Update on Current Events.

Town Manager Kimball spoke on the unveiling of monuments on Statehood Day, February 14th at Noon and 1:30; Sign Code Public hearing for P&Z on February 7th and for Council on February 19th; one nomination for volunteer of the year received; Open Meeting Law training being held for all public body members and staff on March 15th at 1:00 at town hall.

6. Consent Agenda.

6.1.Minutes. Minutes from the January 8, 2013 Special Study Session and January 15, 2013 Regular Council Meeting.

Councilmember Wright made a motion to approve the minutes from January 8, 2013 and January 15, 2013 as presented, seconded by Vice Mayor Repan. It was approved unanimously.

7. Comments from the Public (on non-agendized items only).

Jerry Brady spoke on records requests; public notice; publication of new ordinances, order of publication.

8. Discussion Agenda – Unfinished Business. Discussion and Possible Action on any issue which was not concluded, was postponed, or was tabled during a prior meeting.

8.1.Possible Budget retreat/meeting details. Discussion and possible direction.

Town Manager Kimball spoke on holding a retreat or special meeting with Council to hear their thoughts and wish lists for the budget. There was discussion on whether to hold a special meeting for this or to add it to a scheduled work session.

Vice Mayor Repan made a motion to put it on the first work session in March, seconded by Councilmember Hiles.

Public comment was taken on this item.

Jack Hamilton spoke against having a special meeting; just have Council Members submit their ideas in advance of the tentative budget.

Sandra Goodwin offered the Library as a location for a retreat meeting.

The motion passed by a 6-1 vote in favor, Mayor Nolan voting against.

9. Discussion Agenda – New Business. Discussion and Possible Action on matters not previously presented to the Council.

9.1.Private road transition to public road for Gone Fishin’ Lane. Staff report and recommendation.

Public Works Supervisor, Ed Hanks gave an overview on the property owners’ request to transition Gone Fishin’ Road into the Town’s roads. There was discussion on drainage and roadway requirements.

Public comment was taken on this item.

Earl Goodwin spoke on the history of this policy and requirements to bring road into the Town’s maintenance program.

David Nystrom spoke on the Town’s regulations under the Arizona Gift Clause.

Jerry Brady spoke on floodplain designation under FEMA and fuel tax funding.

Vice Mayor Repan made a motion to allow the property owners to move forward with a dirt road adhering to requirements as recommended under “Improvements A”, seconded by Councilmember Rogers.

Town Manager Kimball explained staff was recommending paving rather than dirt standard. There was discussion.

The motion passed by a vote of 6-1 in favor, Councilmember McBrady voting against.

9.2. Mayor and Council Term Length in light of Consolidated Elections Law and consideration of changing Mayor's term length to 4-years. Discussion and possible action. [CAARF-Mayor Nolan]

Mayor Nolan gave an overview on both the term length adjustment for consolidated elections and the mayor's term length. There was discussion.

Councilmember Wright made a motion to keep the mayor's term as is (2-year), and shorten the terms ending spring 2015 and spring 2017 by 6 months to adjust for consolidated Fall Even-Year elections, and direct staff to bring back an ordinance on this, seconded by Councilmember Rogers.

Public comment was taken on this item.

Jack Hamilton spoke in support of keeping the Mayor's term at 2 years rather than 4 years.

Jerry Brady spoke on duties, authority and limitations being defined in a City Charter.

Bob Greene spoke on the process to change the Mayor's term length.

David Nystrom spoke in support of the motion and keeping the Mayor's term at 2 years.

Town Attorney Phyllis Smiley was called into the meeting by teleconference.

Councilmember McBrady asked about those Council terms already elected for a specific term and how the consolidated elections can change those terms, specifically shortening them.

Ms. Smiley responded that she was not sure about the legality of shortening those terms for those already elected. If it is determined that it is not legal to shorten those terms the Attorney will come back to the town with other options.

The motion passed by a 6-1 vote in favor, Councilmember McBrady voting against.

9.3. Granicus Use Policy. To set a policy to allow non-commercial, non-political and non-partisan groups to use Granicus to broadcast information to the public via the Town's website. [CAARF- CM Wright]

Councilmember Wright gave an overview on her agenda item stating they needed to establish a policy for the use of Granicus by other non-town agencies. This came up as the result of wanting to hold a candidate forum at town hall and provide live streaming of it to those who are unable to attend in person.

Attorney Smiley responded they have concerns with using Town resources for a candidate forum. She listed some requirements to include in a policy: must include all candidates; non-partisan, non-political, include a disclaimer about the views expressed do not reflect the Town's views; policy on the town retaining control over website and Granicus use.

There was discussion.

Public comment was taken on this item.

Sandra Goodwin spoke on her history with the League of Women Voters and their policy for serving as moderators for these forums.

David Nystrom spoke in support of having a policy and allowing the use of the A/V equipment.

Jerry Brady spoke on issues with Granicus.

Zona Hays spoke against outside agencies using Granicus, only having Town staff running the equipment and concerns for the extra hours required to do so.

Councilmember Wright made a motion to ask the Town Attorney to come up with a Granicus Use Policy. The motion failed for lack of a second.

10. Public Hearing Agenda. None.

11. Comments from the Public.

Jerry Brady spoke on laws regarding elected officials; needing more property owners on Gone Fishin' Rd. to do the transition legally.

Sandra Goodwin announced the next mayoral forum being held on February 18th at 6:00 p.m. at the Activity Center, with uncontested candidates given 2 minutes to speak if they wish. This forum is being sponsored by the Highway 69 Chamber of Commerce and Tom Thurman, and being moderated by the League of Women Voters.

12. Adjourn.

The meeting was adjourned at 9:52 p.m.

Terry Nolan, Mayor

ATTEST:

Judy Morgan, Town Clerk